

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

LISA BARBOUNIS

Plaintiff,

-vs-

THE MIDDLE EAST FORUM, et al.

Defendants.

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CIVIL ACTION

NO. 2:19-cv-05030-JDW

**MOTION FOR RECONSIDERATION**

This request is filed in connection with the Court's Order dated May 8, 2020 and is intended to preserve the issue of Delaney Yonchek's cell phone being turned over to Defendants.

Paragraph 4 of the Order states:

4. Should Ms. Yonchek be unable to download and produce the files in the text messages, Ms. Yonchek must provide her cell phone to Defendants for imaging in order to recover the relevant files, and Ms. Yonchek's counsel and Defendants' counsel must confer and formulate a plan to ensure that Defendants receive from the image of the phone only those files responsive to the subpoena;

Non-party, Delaney Yonchek objects to her cell phone being turned over to Defendants in any capacity. Delaney Yonchek has complied with the Court's Order and will continue to comply including working with Defendants to furnish any and all information in her possession in accordance with the Federal Rules of Civil Procedure and all relevant laws. However, Delaney Yonchek objects to turning her cell phone over to Defendants for imaging as her cell phone contains her personal private information and there are many other less intrusive ways to achieve the goals of providing Defendants with documents and information in her possession. This Motion is intended only to preserve Delaney Yonchek's right to challenge having to give her cell phone over to Defendants should Defendants attempt to use the Court's Order to achieve this.

As Delaney Yonchek has not yet been Ordered to give her cell phone to Defendants, she would like to reserve the right to challenge such an Order if it is issued.

**DEREK SMITH LAW GROUP, PLLC**

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DATED: May 20, 2020

**CERTIFICATE OF SERVICE**

I hereby certify that on this date that I caused a true and correct copy of this Motion to Defendants to be served via email or in the alternative via the electronic filing system:

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DATED: May 20, 2020